

*DFW*

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: December 2, 2005 Name: Kent E. Genin

Signature: *[Signature]*

**BRINKS  
HOFFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Alan Y. Chow et al.

Appln. No.: 10/822,437

Filed: April 12, 2004

For: **MECHANICALLY ACTIVATED OBJECTS  
FOR TREATMENT OF DEGENERATIVE  
RETINAL DISEASE**

Attorney Docket No: 3614/204

Examiner: Unknown

Art Unit: 3762

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached is/are:**

- ☒ A Transmittal Letter (in duplicate); Supplemental Information Disclosure Statement; Form PTO-1449; and
- ☒ Return Receipt Postcard

**Fee calculation:**

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. <sup>o</sup> Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

**Fee payment:**

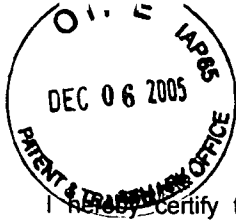
- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Date

*12/2/2005*

Respectfully submitted,

*[Signature]*  
Kent E. Genin (Reg. No. 37,834)



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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
on December 2, 2005

Date of Deposit

Kent E. Genin, Reg. No. 37,834

Name of applicant, assignee or  
Registered Representative

Signature

Date of Signature

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Attorney Docket No: 3614/204

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### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicants hereby cite the following reference(s):

No.	Date of Publication	Patentee/Applicant/Assignee
5,904,144	May 18, 1999	Joseph P. Hammang et al.
6,324,429	November 2001	Shire et al.

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary,

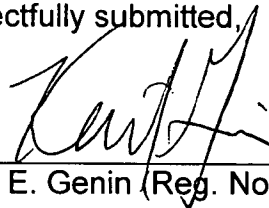
37 C.F.R §1.98(a)(3). Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicants have calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

December 2, 2005  
Date

Respectfully submitted,



Kent E. Genin (Reg. No.37,834)

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FORM PTO-1200	APPLICATION NO. 10/822,437	ATTORNEY DOCKET NO. 3614/204
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	FILING DATE April 12, 2004	GROUP ART UNIT 3762
	FIRST NAMED INVENTOR: Alan Y. Chow et al.	
EXAMINER NAME: Unknown		

EXAMINER INITIALS	Cite No.	DOCUMENT NUMBER Number-Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Class/Subclass	Filing Date
/M.B./	B1	5,904,144	05/18/1999	Joseph P. Hammang et al.		
/M.B./	B2	6,324,429	11/2001	Shire et al.		

EXAMINER /Michael Brown/	DATE CONSIDERED 06/08/2008
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.